

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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**FOR IMMEDIATE RELEASE****CONTACT: Dia S. Poole
(916) 227-2873****May 4, 2000****DFEH ISSUES ADVISORY REGARDING RESTRICTIVE COVENANT LAW**

Sacramento – The Department of Fair Employment and Housing (DFEH), the state agency charged with enforcing the state's anti-discrimination laws, today sent letters to county recorders, title insurance companies, and real estate salespersons, outlining their obligations under the state's new law prohibiting restrictive covenants in property documents. The letter to real estate salespersons was co-signed by the Office of the Real Estate Commissioner.

The new law requires that the public be informed of the illegality of restrictive covenants and of the rights of persons with an interest in the property to have discriminatory language removed. Effective January 1, 2000, a county recorder, title insurance company, escrow company, or real estate salesperson who provides a declaration, governing documents or deed to any person must provide the information about discrimination in either a cover page placed over the document or a stamp on the first page of the documents.

Until this year, in certain instances documents such as grant deeds and Declarations of Covenants, Conditions and Restrictions (CC&Rs) containing such offensive language continued to be provided to the public without notification that the restrictions were void and unenforceable.

A selected check of county recorder offices conducted by DFEH showed evidence of non-compliance with this requirement, with approximately 50% of the offices visited failing to provide the required information.

"Because of the importance of protecting home owners and tenants from discrimination, it is critical that the Department spread the word that restrictive covenants are both illegal and unenforceable," said Dennis Hayashi, Director of DFEH.

DFEH enforces laws prohibiting discrimination in housing on the basis of race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income and disability. Further information about DFEH and its services may be obtained by calling (800) 233-3212 or by accessing DFEH's website at www.dfeh.ca.gov.

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